

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE: RECALLED ABBOTT INFANT
FORMULA PRODUCTS LIABILITY
LITIGATION**

This Document Relates To: *All Actions*

**Case No. 1:22-cv-04148
MDL No. 3037**

Hon. Judge Matthew F. Kennelly

**PSC’S MOTION TO SUBSTITUTE A MEMBER
OF THE PLAINTIFFS’ STEERING COMMITTEE**

Pursuant to the Court’s Order of September 8, 2022 [ECF No. 23] appointing Plaintiffs’ leadership committee, the Plaintiffs’ Steering Committee (“PSC”) submits this Motion to Substitute a Member of the PSC, in advance of the April 21, 2023 status conference, and in support states as follows:

1. On September 8, 2022, this Court granted the parties’ Joint Motion to Appoint Plaintiffs’ Co-Lead Counsel and Plaintiff’s Steering Committee [ECF No. 16], specifically appointing Cristina Sabbagh with Schlesinger Law Offices, P.A. located at 1212 Southeast 3rd Avenue, Fort Lauderdale, FL. 33316 as one of the ten (10) attorneys on the PSC [ECF No. 23].
2. However, on March 31, 2023 Ms. Sabbagh will be leaving her firm and will no longer be able to carry out her duties and responsibilities as a Committee member at that time.
3. Pursuant to this Court’s Order [ECF No. 23], any of the appointments to the PSC “cannot be substituted by other attorneys, including members of the appointees’ law firm, to

perform the PSC's exclusive functions, such as committee meetings and court appearances, *except with prior Court approval.*"

4. Co-Lead Counsel and the PSC therefore move this Honorable Court to substitute David Silverman, Esq., an attorney with the Schlesinger Law Firm, in place of Cristina Sabbagh, as a representative on PSC. Ms. Sabbagh consents to the substitution of David Silverman as a member of the PSC. *See* Exhibit A, Affidavit of Cristina Sabbagh.

5. During the pendency of this matter, David Silverman has worked closely with Ms. Sabbagh at the Schlesinger Law Firm, as well as with members of the PSC and Co-lead counsel, actively participating and performing substantial work in all their Abbott Infant Formula cases since inception. Further, Mr. Silverman has played a principal role in both managing these cases and communicating with all of the Schlesinger Law Firm Abbott Infant Formula clients.

6. David Silverman and the Schlesinger Law Firm have already shown their ability to work cooperatively and their commitment to leading this litigation effectively and efficiently. David Silverman is an experienced attorney who is well capable of serving on the PSC. *See* Exhibit B, Declaration of David Silverman. Substituting Mr. Silverman at this time will allow a seamless and unified transition to be made. Accordingly, the undersigned respectfully requests the Honorable Court grant this Motion and appoint David Silverman to the PSC.

Dated: March 31, 2023

Respectfully submitted,

By: /s/ Stacy K. Hauer

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Co-Lead Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 31, 2023, a true and correct copy of the foregoing motion was filed through the Court's CM/ECF case management system, which will serve a notice of electronic filing to all counsel or parties of record.

By: /s/ Stacy K. Hauer
Stacy K. Hauer, Esq.

Co-Lead Counsel for Plaintiffs